IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

C.W.P.No.18356 of 2006
Date of Decision: 8.5.2007

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Subhash Chander Vs. State of Punjab and others

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CORAM : HON'BLE MR.JUSTICE P. SATHASIVAM
HON'BLE MR.JUSTICE RAJIVE BHALLA

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Present : Mr.Rajeev Dev Sharma, Advocate for the petitioner.
Mr. Piyush Kant Jain, Addl.A.G. Punjab.

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P.SATHASIVAM, J (Oral)

The petitioner has approached this Court, for issuance of a writ of mandamus directing the respondents, to change the title of the land measuring 2.60 acres in village Azizpura, Tehsil Pathankot, Distt.Gurdaspur, in favour of the petitioner, which the petitioner has purchased in open auction on 23.7.1998 and for which the petitioner has made the entire payment. A further prayer is also made to issue directions to the respondents, to hand over the possession of the land measuring 2.60 acres to the petitioner.

Pursuant to the notice, the respondents have filed the reply. Amongst the information furnished, the following details stated in para 1 of the reply, read as under :

"That the matter of changing the title in the name of the petitioner is under active consideration with the government. It is evident from the fact that even prior to the filing of the present writ petition, there is active correspondence with higher competent authorities. As soon as the sanction for changing the title in the name of the petitioner is received from the answering-respondent no.1, the title of the land will be changed in favour of the petitioner forthwith. Hence, the writ petition filed by the petitioner is pre-mature. Thus the wit petition is not maintainable and liable to be dismissed."

In view of the statement that matter is under active consideration, we are of the view that ends of justice would be met by directing the respondents that necessary change in the title of the land measuring 2.60 acres, which the petitioner has purchased, be made within a period of 8 weeks from the date of receipt of certified copy of this order and possession shall also be delivered to the petitioner within the same time.

The writ petition is disposed of accordingly.

(P. SATHASIVAM)
JUDGE

8.5.2007
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(RAJIVE BHALLA)
JUDGE